

House Bill 1303

By: Representatives Hatfield of the 177th, Chambers of the 81st, Lindsey of the 54th, Meadows of the 5th, Ramsey of the 72nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 50-14-1 of the Official Code of Georgia Annotated, relating to
2 meetings to be open to the public, so as to change and clarify provisions relating to the notice
3 for such meetings; to provide for related matters; to repeal conflicting laws; and for other
4 purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 50-14-1 of the Official Code of Georgia Annotated, relating to meetings to be
8 open to the public, is amended by revising subsection (d) as follows:

9 "(d)(1) Every agency shall prescribe the time, place, and dates of regular meetings of the
10 agency. Such information shall be available to the general public and a notice containing
11 such information shall be posted and maintained in a conspicuous place available to the
12 public at the regular meeting place of the agency. Meetings shall be held in accordance
13 with a regular schedule, but nothing in this subsection shall preclude an agency from
14 canceling or postponing any regularly scheduled meeting.

15 (2) Whenever any meeting required to be open to the public is to be held at a time or
16 place other than at the time and place prescribed for regular meetings, the agency shall
17 give due notice thereof. 'Due notice' shall be the posting of a written notice for at least
18 24 hours at the place of regular meetings and giving publication of written ~~or oral~~ notice
19 at least 24 hours in advance of the meeting ~~to in~~ the legal organ in which notices of
20 sheriff's sales are published in the county where regular meetings are held or at the option
21 of the agency ~~to in~~ a newspaper having a general circulation in said county at least equal
22 to that of the legal organ; ~~provided, however, that in counties where the legal organ is~~
23 ~~published less often than four times weekly 'due notice' shall be the posting of a written~~
24 ~~notice for at least 24 hours at the place of regular meetings and, upon written request~~
25 ~~from any local broadcast or print media outlet whose place of business and physical~~
26 ~~facilities are located in the county, notice by telephone or facsimile to that requesting~~

27 ~~media outlet at least 24 hours in advance of the called meeting. When special~~
28 ~~circumstances occur and are~~ an emergency exists and is so declared by an agency, that
29 agency may hold a meeting with less than 24 hours' published notice upon giving such
30 notice of the meeting and subjects expected to be considered at the meeting as is
31 reasonable under the circumstances including the posting of a written notice for at least
32 eight hours at the place of regular meetings and written or oral notice to said county legal
33 organ or a newspaper having a general circulation in the county at least equal to that of
34 the legal organ, in which event the reason for holding the meeting within 24 hours and
35 the nature of the notice shall be recorded in the minutes. ~~Whenever notice is given to a~~
36 ~~legal organ or other newspaper, that publication shall immediately make the information~~
37 ~~available upon inquiry to any member of the public.~~ Any oral notice required or
38 permitted by this subsection may be given by telephone.

39 (3) An agency's declaration of an emergency shall be reviewable by a superior court
40 pursuant to Code Section 50-14-5.

41 (4) The presiding officer for the meeting shall execute an affidavit, under oath, certifying
42 how notice, as provided in paragraph (2) of this subsection, was given; and such affidavit
43 shall be attached to the minutes of the meeting."

44 **SECTION 2.**

45 All laws and parts of laws in conflict with this Act are repealed.